IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

WP(C).No. 4329 of 2007(M)

PETITIONER:

JIPS MATHEW, S/O. MATHEW,
KUNNAPPILLIL HOUSE, AVOLI, MUVATTUPUZHA.

BY ADV. SRI.SAJEEV KUMAR K.GOPAL

RESPONDENTS:
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1. REGIONAL TRANSPORT AUTHORITY,
MUVATTUPUZHA REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY,
R.T.A., MUVATTUPUZHA.

3. SAJUMON JOSEPH,
ELLIL HOUSE, VAZHAKKULAM.

BY GOVERNMENT PLEADER SMT.N.SUDHADEVI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

WP(C).No.4329 of 2007-M

Dated this the 8th day of February, 2007.

JUDGMENT

The petitioner is operating his Stage Carriage KL.17/C 3717 on the route Velloorkkunnam-Thodupuzha. The third respondent has been granted a new permit on the route Kadalikkad-Vazhakkulam-Thodupuzha. The petitioner submits, the time schedule of the said permit has been settled before the grant of permit. Further, in that process the petitioner's departure time from Thodupuzha has been changed as 6.55 P.M. instead of 7.00 P.M. Therefore, this writ petition is filed seeking the following reliefs:

> " i). Issue a writ of mandamus or other appropriate writs, directions or orders directing the 2nd respondent not to effect any changes with respect to the 7.00 p.m. departure time of the petitioner's service from Thodupuzha while issuing permit to the 3rd respondent pursuant to the decision taken by the R.T.A. on 20.12.2006 in item No.1;
>
> ii). Declare that the changes made with respect to the departure time of the petitioner's service from Thodupuzha as 6.55 p.m. from 7.00 p.m. without hearing the petitioner and without issuing any notice to the petitioner is illegal and arbitrary.
>
> Iii). Issue a writ of mandamus or other appropriate writs, directions or orders directing the second respondent to settle the timings of the

> third respondent on the route Kadalikkad-Vazhakkulam-Thodupuzha, before the issuance of any permit to the third respondent pursuant to the decision of R.T.A. held on 20-12-2006 in item No.1"

2. If, as alleged by the petitioner his time schedule has been modified, a copy of that order shall be furnished to the petitioner, on production of a copy of this judgment. The petitioner will be free to challenge it before the S.T.A.T. If so advised, he may challenge the time schedule granted to the third respondent's service also, if the same affects his service.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,
MS JUDGE.